

MAY 09 2005

FAX COVER SHEET  
**BANIAK PINE & GANNON**  
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Date: May 9, 2005

To: Examiner Catherine Williams, Art Group 3763  
U.S. Patent & Trademark Office

Fax No: 703-872-9306

From: Steven B. Courtright  
Tel. No: 312·673·0360

Re: U.S. Serial No. 09/901,509 , filed July 9, 2001

Client No.: 5297/148

No. of Pages including this page): 8

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Please find attached a Transmittal Form and a Response to the Official Action dated February 9, 2005.

PTO/SB/21 (12-07) Approved for use through 03-31-2000. OMB 0651-0231. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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<b>TRANSMITTAL FORM</b>		Attorney Docket No.	5297/148
(to be used for all correspondence after initial filing)		Application Number	09/901,509
		Filing Date	July 9, 2001
		First Named Inventor	Brian H. SILVER et al
		Group Art Unit	3763
		Examiner	Kathryn L. Thompson

ENCLOSURES (check all that apply)			
<input checked="" type="checkbox"/> Amendment / Response to Restriction/Election Req.	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
<input checked="" type="checkbox"/> After Final	<input type="checkbox"/> Drawings:	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> After Allowance Communication to Group	<input type="checkbox"/> Proprietary Information	
<input type="checkbox"/> Status Letter	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Post Card Receipt	
<input type="checkbox"/> Extension of Time Request (duplic.)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Additional Enclosure(s) (please identify below):	
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/>	
<input type="checkbox"/> Information Disclosure Statement, PTO-144B, art	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/>	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Applicant claims small entity status.	<input type="checkbox"/>	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Request of Refund	<input type="checkbox"/>	
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-0930. A duplicate copy of this sheet is enclosed.			

## CALCULATION OF FEE

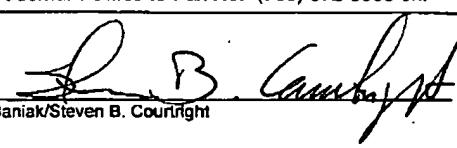
					Small Entity		Large Entity	
	Claims After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	Rate	Add'l Fee
Total		Minus		0	x \$9=	0	x \$18=	
Indep.		Minus		0	x \$42=	0	x \$84=	
First Presentation of Multiple Dep. Claim					+\$140=	—	+ \$280=	
					total add'l fee	\$ 0	total add'l fee	\$ 0

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Michael H. Baniak, Reg. No. 30,608 Attorney for Applicant(s) Steven B. Courtright, Reg. No. 40,966 Agent for Applicant(s) BANIAK PINE & GANNON 150 N. Wacker Drive, Suite 1200 Chicago, Illinois 60606		
Signature			Date: May 9, 2005

## CERTIFICATE OF TRANSMISSION

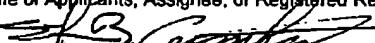
I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents at the United States Patent and Trademark Office to Fax No. (703) 872-9306 on: May 9, 2005

Signature		Date: May 9, 2005
Michael H. Baniak/Steven B. Courtright		

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\_\_\_\_\_  
Michael H. Baniak / Steven B. Courtright  
Name of Applicants, Assignee, or Registered Representative  


\_\_\_\_\_  
Signature  
May 9, 2005  
Date of Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No.	:	09/901,509
Applicant(s)	:	Brian H. SILVER and Larry D. ANNIS
Filed	:	July 9, 2001
TC/A.U.	:	3763
Examiner	:	Kathryn L. Thompson
Docket No.	:	5297/148
Title	:	DIAPHRAGM PUMP AND PUMP FOR DOUBLE-BREAST PUMPING

Confirmation No. 7026

**RESPONSE AFTER FINAL**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Office Action of February 9, 2005, consideration of the following  
remarks, and withdrawal of the outstanding rejections, is respectfully requested.